

# CALIFORNIA ENERGY COMMISSION

REPORT OF CONVERSATION Page 1 of 1

California Energy Commission <b>DOCKETED</b> <b>09-AFC-7C</b>
TN 71593 JUL 12 2013



Energy Facilities Siting and <b>Environmental Protection Division</b>		<b>FILE:</b> 09-AFC-7C (Compliance Proceeding)
		<b>Project Title: Palen Solar Power Project</b>
<input type="checkbox"/> E-MAIL: <input checked="" type="checkbox"/> Telephone:	<input type="checkbox"/> Meeting Location	
<b>NAME:</b> Carol Watson	<b>Date:</b> July 8, 2013	<b>Time:</b> 1:00pm
<b>WITH:</b> Interagency Meeting: participants listed below		
<b>SUBJECT:</b> Palen Solar Energy Generating System Project		
<b>Palen Renewable Energy Action Team Call #10</b>		
<ol style="list-style-type: none"> <li>1. Outstanding data             <ul style="list-style-type: none"> <li>o Representatives from the Renewable Energy Action Team (REAT) agencies have voiced concern over incomplete or tardy data responses from the project owner, and stress that full reports, including raw data (field notes, shape files, etc.) must be received in order to allow full evaluation of the project and its effects.</li> </ul> </li> <li>2. Verification of waters report             <ul style="list-style-type: none"> <li>o A full Notification of Lake or Streambed Alteration form (Form FG2023; Rev. 1/13) (notification form), per Fish and Game Code §1602, has yet to be received. While the Energy Commission has in-lieu permitting authority over §1600, the Energy Commission and CDFW have both requested that the applicant use this form, as it will facilitate concurrent review of the application by both the Energy Commission and CDFW.</li> </ul> </li> <li>3. Ongoing avian mortality             <ul style="list-style-type: none"> <li>o The USFWS provided an update on avian mortalities, which have been increasingly documented on photovoltaic plants. At the Desert Sunlight Solar Farm, a federally endangered bird, the Yuma clapper rail, recently died after colliding with a solar panel. The USFWS is considering the appropriateness of Section 7 consultation for threatened and endangered birds, in addition to the desert tortoise. The BLM informed the REAT agency representatives that the Yuma clapper rail is included in BLM's draft Biological Assessment for the project, as a covered species.</li> </ul> </li> <li>4. Approach to burrowing owl mitigation             <p>Discussed whether existing compensation for burrowing owl (19.5 acres per owl) would be adequate for modified project. Agencies agreed 19.5 acres per owl would still be adequate. However, the final complete burrowing owl survey report is required to be submitted by project owner following completion of all 4 surveys in order to complete analysis and confirm this approach. Discussed and confirmed that a burrowing owl plan is required for this project, and reviewed the updated condition of certification language (<b>BIO-18</b>) for inclusion of California Department of Fish and Wildlife (CDFW) 2012 guidelines.</p> </li> <li>5. REAT approach to kit fox disease testing and CEQA significance             <ul style="list-style-type: none"> <li>o REAT agency representatives have been considering implementation of a region-wide approach of conducting health assessments for kit fox. The intent is to establish a flat fee for project owners, which would go toward funding the CDFW to trap, test for canine distemper, and inoculate kit fox on project sites. This approach is still under development. Staff will continue to track progress on this issue, and propose any necessary revisions to Condition of Certification <b>BIO-17</b> (Badger and Kit Fox Avoidance and Minimization Measures) in the Final Staff Assessment.</li> </ul> </li> </ol>		

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6. Staff's proposed avian mitigation, conditions **BIO-16a** and **BIO-16b**
  - o The agencies have preliminarily discussed staff's recommended mitigation, and coordinated efforts to identify appropriate conservation actions to fund, as well as confirmation of the appropriate funding level are ongoing.
7. Notice of July 25, 9 am workshop and agenda items

**Participants**

CDFW: Dr. Shankar Sharma, Magdalena Rodriguez

USFWS: Thomas Dietsch, Dr. Joel Pagel, Pete Sorensen

BLM: Kim Marsden

CEC: Ann Crisp, Carol Watson

cc:		Signed:
		Name: Carol Watson, Planner II, Environmental Office